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7-71 MFG. 2/76

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TOR:172257Z JUN 76

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FM AMEMBASSY GUATEMALA

TO RUEHC/SECSTATE WASHDC 2042

INFO RUESMO/AMEMBASSY MEXICO 2739

RUESMG/AMEMBASSY MANAGUA 4834

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ZEN/AMCONSUL BELIZE

BT

UNCLAS GUATEMALA 4409

E.O. 11652 NA

TAGS: PLOS, GT

SUBJ: GUATEMALAN CONGRESS EXTENDS MARITIME JURISDICTION TO
200 MILES

REF: A) GUATEMALA 3200, B) GUATEMALA A-41

1. GUATEMALAN CONGRESS JUNE 9 PASSED AND SENT TO PRESIDENT LAUGERUD FOR SIGNATURE LAW 20-76, CREATING "EXCLUSIVE ECONOMIC ZONE" OF 188 NAUTICAL MILES BEYOND ITS 12-MILE TERRITORIAL SEA, AND CLAIMING EXTENSIVE RIGHTS, INCLUDING SOME IT DESCRIBES AS "SOVEREIGN," OVER THIS ZONE. TEXT, WHICH EMBASSY HAS OBTAINED, IS IDENTICAL TO BILL REPORTED OUT BY FOREIGN RELATIONS COMMITTEE (REFS) EXCEPT FOR NEW ARTICLE 7.

2. ORIGINAL ARTICLE 7 REQUESTED EXECUTIVE BRANCH TO SEEK ARRANGEMENTS WITH THE OTHER CENTRAL AMERICAN COUNTRIES FOR THE COMMON EXERCISE OF THE RIGHT TO FISH WITHIN THE 200-MILE ZONE AND CONCERNING LIMITATIONS ON OVERFISHING. DELETION OF THIS LANGUAGE WAS NOT PICKED UP BY THE PRESS AND NO EXPLANATION HAS BEEN PUBLICLY OFFERED. EXECUTIVE COULD STILL, OF COURSE, NEGOTIATE FISHING AGREEMENTS WITH OTHER COUNTRIES, WITHIN OR WITHOUT CENTRAL AMERICA, AND SUBMIT THEM TO CONGRESS AS TREATIES. NEW ARTICLE 7 PROVIDES THAT "A QUALIFIED OFFICER OF THE NAVY WILL BE INCLUDED IN (FUTURE) GUATEMALAN DELEGATIONS TO (INTERNATIONAL) CONFERENCES THAT DISCUSS MARITIME AFFAIRS." THIS HAS BEEN A LONG-STANDING OBJECTIVE OF THE NAVY, WHICH HAS BITTERLY COMPLAINED OVER ITS EXCLUSION FROM FORMULATION OF LOS POLICY.

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3. LAW ENTERS INTO FORCE ON ITS PUBLICATION IN OFFICIAL
GAZETTE. DELAYS OF MONTH OR MORE IN SIGNATURE OF LAWS
BY PRESIDENT AND ANOTHER MONTH OR MORE IN THEIR
PUBLICATION IN GAZETTE ARE NOT UNUSUAL. ANDREWS